

JOURNAL

OFFICE OF LEGISLATIVE COUNSEL

Thursday - 5 June 1975

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1. (Unclassified - DFM) Received a call from Eileen Roach, assistant to Richard Ober at the National Security Council. At her request I brought her up to date on the status of four Senate bills: S. Res. 6, to establish a Senate Select Committee to investigate CIA, and a special prosecutor to handle any violations of the National Security Act; S. 99, to establish a Joint Committee on National Security; S. 244, to amend the National Security Act; and S. 1210, to amend the Freedom of Information Act.

2. (Internal Use Only - KKH) Received a call from Rita DeCenzo, in the office of Representative John J. Rhodes (R., Ariz.), who wanted to alert us that she was sending a letter regarding a constituent's inquiry about material in our files about him. She said she had forwarded letters to us before and had never received an answer. I gave her the information she requested and offered to check on her previous inquiries but she said there really weren't that many and they would be so old by now that there would be no use in it. She will forward the constituent inquiry to the Agency.

3. (Unclassified - RC) Hand delivered blind memo commenting on an Aviation Week and Space Technology article to Mr. Christopher Seeger in the absence of Congressman Ketchum. Seeger said he had written the original letter for Ketchum and knew what it was all about. He understood the non-attribution bit. I left my name and phone number should the Congressman have need for further contact with the Agency on this or other business.

4. (Unclassified - DFM) Called George Gilbert, OMB, to report the Agency had no comments on the Department of Transportation's proposed June 6 testimony before the Senate Commerce Committee on S. 961. This bill would establish a 200 nautical mile U.S. exclusive fisheries zone. This response had been coordinated with [redacted] OGCR.

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EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503
June 3, 1975

LEGISLATIVE REFERRAL MEMORANDUM

To: Legislative Liaison Officer

State	Interior	CEQ
Commerce	Justice	EPA
Treasury	AID	NSC
DOD	CIA	NSF

Subject: DOT proposed testimony on S. 961, a bill "To extend, pending international agreement, the fisheries management responsibility and authority of the U.S. over the fish in certain ocean areas in order to conserve and protect such fish from depletion, and for other purposes."

The Office of Management and Budget would appreciate receiving the views of your agency on the above subject before advising on its relationship to the program of the President, in accordance with OMB Circular A-19.

() To permit expeditious handling, it is requested that your reply be made within 30 days.

(xxx) Special circumstances require priority treatment and accordingly your views are requested by NOON, Thursday, June 5, 1975 in connection with hearings scheduled for June 6. Comments and specific suggestions for changes may be given informally by telephone.

Questions should be referred to Mike Usnick (103 x4580) or to George R. Gilbert (103 x4710), the legislative analyst in this office.

James F. C. Hyde, Jr. for
Assistant Director for
Legislative Reference

Enclosures

Department of Transportation

U. S. Coast Guard

Statement by

Admiral Owen W. Siler, Commandant, U. S. Coast Guard

Subcommittee on Oceans and Atmosphere

of the

Senate Commerce Committee

Washington, D. C.

June 6, 1975

Mr. Chairman and members of the Subcommittee:

I am Admiral Owen W. Siler, Commandant of the United States Coast Guard.

It is my pleasure to be here today to testify on S. 961, The Emergency Fisheries Act that would extend United States fisheries jurisdiction.

The Coast Guard will in the long run be more affected by any regulations actually imposed on foreign fishing vessels than by an extension of the contiguous fisheries zone. Those regulations will probably change from time to time depending upon such things as the status of the fish stocks off our coasts, the availability of protein from other sources, and the harvesting capacity of the U. S. coastal fishing fleet. Probability of violation will vary with such things as the status of fish stocks in other parts of the world, the attitude of other coastal nations toward foreign harvesting of their coastal stocks, and the degree of acceptance of the regulations by the nations whose vessels are fishing off our coasts.

This makes it particularly difficult to develop resource requirements for an enforcement program. However, with that fact in mind, our planning for an enforcement program is designed to be (1) realistic (2) useable with any foreseeable form of extended fisheries jurisdiction and (3) reasonably compatible with any enforcement and surveillance methods that may become available and any regulations that are actually imposed on foreign fishing vessels.

The main thrust of our planned approach would provide various levels of coverage for known active fishing areas in direct proportion to the experienced intensity of foreign fishing activity, i.e. our enforcement efforts would concentrate on those areas where and when the fishing will most likely be done. A mix of long and medium range aircraft would patrol the areas to monitor foreign fishing activity and provide fishing vessel locations to cutters on fisheries patrol. A mix of high and medium endurance cutters, with helicopters embarked whenever possible, would be used to monitor foreign fishing activity through examination from the helicopter and the cutter itself as well as through appropriate boardings. The cutters would also make seizures when appropriate under the circumstances.

This part of our approach is very similar to our current efforts under:

- a. The International Convention for Northwest Atlantic Fisheries
(16 USC 986)
- b. The International Convention for the High Seas Fisheries of the
North Pacific Ocean (16 USC 1027)
- c. Enforcement of the prohibition on foreign taking of Continental
shelf fishery resources (16 USC 1083)

We have developed composite position plots of foreign fishing vessels for the last three years. The patterns change from time to time and new fisheries develop, but there is no reason to believe that these active fishing areas will change dramatically following an extension of jurisdiction. Our belief is bolstered by available information on the range of coastal and anadromous fish species.

In addition to the coverage of known active fishing areas, some coverage to the full range of jurisdiction would be provided to determine if changes in patterns of fishing activity are occurring, to make our presence known throughout the area, to detect entry into the fishery zone, and to facilitate apprehension as necessary.

If this approach were to be fully implemented, we will need to increase our operating facilities by six high endurance cutters, six long range search aircraft, four medium range search aircraft, and ten shipboard helicopters. To operate these facilities will require an increase in our annual operating funds of \$47.2 million. The start up, acquisition and reactivation costs are estimated at \$63.2 million. Both costs are estimated in fiscal 1975 dollars. I would like to caution that these cost estimates were determined by both economic trends and acceptance of our coverage concept. For this reason, the estimate must be used with care.

This is a difficult and complex issue which is complicated by rapidly increasing prices. For this reason, I request the opportunity to revise the estimates in light of the latest information available should you find need to use these data in the future.

I would like to avoid one possible misimpression. The six old high endurance cutters are being held in reserve as a stopgap measure for fisheries patrols if an extension of jurisdiction comes within the next year. These old vessels are a stopgap measure and nothing more. They are technologically obsolete in that they cannot support helicopter operations. Furthermore, we are becoming increasingly concerned about not only the deterioration which has occurred to them since they were placed in reserve but, perhaps more importantly, the operating and maintenance problems they pose after they are reactivated. With the passage of time, the above factors have led us to shift our plans to aim at new construction which will enable us to sustain the level of enforcement we feel would be required if the intent of Congress is to be met.

In addition to current operational planning, we are involved in simultaneous efforts aimed at supplementing our planned approach through the use of existing detection systems as well as R&D projects for alternate surveillance technologies. By congressional mandate we are, in cooperation with the Departments of State, Defense, Commerce, Treasury and Justice, conducting a comprehensive study of all feasible methods of enforcing an extended fishery management jurisdiction. Although this study must include consideration of alternate detection systems, we see it as more far reaching in that it will emphasize an interdepartmental systems approach to enforcement which will minimize duplication of effort and make appropriate use of all technologies. In the meantime we are investigating

with Chief of Naval Operations the possibility of establishing an Interagency Consortium on Merchant Shipping Information. The proposed mission of the Consortium facility would be the processing, analysis and reporting of information relating to movements and operations of merchant ships and fishing vessels worldwide.

In our consideration of the problem we have not neglected the possible use of satellites. We think that it is technologically possible for satellites to be used for detection, interrogation and communications, although the question of cost must still be addressed.

In the detection mode large ocean vessels and ocean vessel concentrations can possibly be detected from space with a high resolution imagery system.

Interrogation could be accomplished by placing a transponder on all commercial fishing vessels, both foreign and domestic. Activated by satellite interrogation, the transponder, through individual codings, could ascertain the position and identity of all "cooperating" commercial fishing vessels within a relatively large ocean area. A possible drawback to this interrogation system is its reliance on the good faith of the other party to accede to the requirement to transmit at prescribed times. As a communication link, satellites offer high reliability over great distances which in turn offers considerable benefit to the Coast Guard ELT mission. The politically volatile nature of Coast Guard fisheries enforcement and the ever present danger of confrontation makes reliable and secure communications between patrol units and higher echelon command necessary. Provisions for satellite communications capability aboard our major vessels for fisheries enforcement is being considered. Whether considering -----

satellites, sensors implanted on the sea floor, or transponders it should be understood that, at least at this point in technological time, such devices would provide only detection capability. This capability, while aiding in the determination of the most effective deployment of air and surface facilities for on scene surveillance, is not a substitute for local operations. Though our planned approach involves conventional aircraft and ship-helo combinations for on-scene operations, we are considering R&D projects which would look to new concepts involving high performance watercraft, lighter than air craft and possibly remotely controlled aircraft.

In regard to the time it would take to be ready to do an effective job of enforcement, we could respond immediately by using our active inventory of cutters and aircraft to best advantage by limiting speeds only as necessary to maintain the desired range of operation without regard to fuel cost. If the extension comes within the next year, we will have in reserve six high endurance cutters and a number of helicopters. The cutters could be reactivated in nine to twelve months. The first helicopter could be operational in about six months.